

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BRIAN FORD, Individually and on
Behalf of All Others Similarly
Situating,

Plaintiff,

MEMORANDUM & ORDER
14-CV-4183 (JS) (AYS)

-against-

VOXX INTERNATIONAL CORPORATION,
PATRICK M. LAVALLE, and CHARLES
MICHAEL STOEHR,

Defendants.

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APPEARANCES

For Plaintiffs: Samuel H. Rudman, Esq.
Robbins Geller Rudman & Dowd, LLP
58 South Service Road
Suite 200
Melville, NY 11747

For Defendants: John A. Neuwirth, Esq.
Caroline Jane Hickey, Esq.
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153

SEYBERT, District Judge:

Pending before the Court is Magistrate Judge Anne Y. Shield's Report and Recommendation ("R&R"), recommending that the Court grant a motion made by the Asbestos Workers Philadelphia Pension Fund ("the Asbestos Workers Fund"), IBEW Local 98 Pension Fund ("IBEW Local 98"), and Plumbers Local No. 98 Defined Benefit Pension Fund ("Plumbers Local 98" and together with Asbestos Workers Fund, and IBEW Local 98, the "Union Funds"), as lead plaintiffs in this case, and approve firm of Robbins Geller Rudman

& Dowd LLP ("Robbins Geller") as lead counsel. (Docket Entry 14) For the following reasons, the Court ADOPTS Judge Shields' R&R in its entirety.

BACKGROUND

Plaintiff Brian Ford ("Plaintiff") commenced this securities class action on July 8, 2014 against defendants VOXX International Corporation ("VOXX" or the "Company"), Patrick M. Lavelle, and Charles Michael Stoehr (collectively, "Defendants"). Plaintiffs allege that Defendants violated Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 and seek to recover losses allegedly incurred as the result of class members' purchase of VOXX's common stock. (Compl. ¶¶ 1, 15.)

On September 8, 2014, the Union Funds moved to appoint themselves as the lead plaintiffs in this case and to appoint Robbins Geller as lead counsel. (Docket Entry 11.) On April 13, 2015, Judge Shields issued her R&R recommending that the Court enter an order: (1) appointing the Union Funds as lead plaintiffs in this case, and (2) appointing Robbins Geller as lead counsel. (R&R at 7.)

DISCUSSION

In reviewing an R&R, a district court "may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). If no timely objections have been made, the "court

need only satisfy itself that there is no clear error on the face of the record.” Urena v. New York, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001) (internal quotation marks and citation omitted).

Objections were due within fourteen days of service of the R&R. The time for filing objections has expired, and no party has objected. Accordingly, all objections are hereby deemed to have been waived.

Upon careful review and consideration, the Court finds Judge Shields’ R&R to be comprehensive, well-reasoned, and free of clear error, and it ADOPTS the R&R in its entirety.

CONCLUSION

Judge Shields’ R&R (Docket Entry 14) is ADOPTED in its entirety and Plaintiffs’ motion (Docket Entry 11) is GRANTED. The Court hereby appoints the Union Funds as lead plaintiffs and Robbins Geller as lead counsel in this case.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: July 16, 2015
Central Islip, NY